

# SENATE BILL No. 191

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-26-17.

**Synopsis:** Alternative placements for certain students. Allows a school corporation that determines it cannot serve a student because of the student's disruptive behavior or frequent unexcused absences to place the student in another setting. Provides that if the other setting is in another school corporation or a nonpublic school, the school corporation in which the student has legal settlement must pay the student's tuition. Sets a cap on the amount that the school corporation may expend for tuition for the student.

**Effective:** July 1, 2009.

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**Miller**

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January 7, 2009, read first time and referred to Committee on Education and Career Development.

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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## SENATE BILL No. 191

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 20-26-17 IS ADDED TO THE INDIANA CODE  
2       AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2009]:

4       **Chapter 17. Tuition for Alternative Placement of Certain**  
5       **Students**

6       **Sec. 1. This chapter applies to a student who cannot be served**  
7       **by a school for either of the following reasons:**

8               (1) The student's disruptive behavior in class prevents the  
9               student or other students from learning.

10              (2) The student has frequent unexcused absences.

11       **Sec. 2. If a school determines that the school is unable to teach**  
12       **a student described in section 1 of this chapter, the school's**  
13       **principal may request the superintendent to seek an alternative**  
14       **placement for the student under this chapter.**

15       **Sec. 3. Upon receiving a request under section 2 of this chapter,**  
16       **the superintendent may place a student described in section 1 of**  
17       **this chapter in any of the following:**



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(1) Another school within the school corporation that the superintendent determines may successfully teach the student.

(2) An alternative school operated by the school corporation or by another school corporation that the superintendent determines may successfully teach the student.

(3) A school within another school corporation that the superintendent determines may successfully teach the student.

(4) A nonpublic school that the superintendent determines may successfully teach the student.

Sec. 4. If a student described in section 1 of this chapter is placed in:

(1) a public school that is within another school corporation;

or

(2) a nonpublic school;

the school corporation in which the student has legal settlement is responsible for paying tuition for the student. However, a school corporation may not expend more than the amount determined under IC 20-26-11-13(b) as tuition for the student.

Sec. 5. A student described in section 1 of this chapter may not be excluded from the student's school until another placement is found for the student under this chapter.

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